

EXHIBIT 1A

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the
Southern District of New YorkUNITED STATES and STATE OF NEW YORK ex rel
XIOMARY ORTIZ and JOSEPH GASTON,*Plaintiffs*

V.

MOUNT SINAI HOSPITAL, MOUNT SINAI SCHOOL OF MEDICINE,
and MOUNT SINAI RADIOLOGY ASSOCIATES,*Defendants*

Civil Action No. 13 CV 04735 (RMB)

(If the action is pending in another district, state where:)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTIONTo: United States Department of Health and Human Services
Centers for Medicare and Medicaid Services, by the General Counsel
200 Independence Ave., S.W., Room 713-F
Washington, D.C. 20201☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

See attached Schedule A.

Place: McInnis Law

521 Fifth Avenue, 17th Floor
New York, New York 10175

Date and Time:

Within 30 days from the date of service of this Subpoena

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: November 27, 2015

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Maria Cioffi Krause and Jane Merolla, who issues or requests this subpoena, are:

Richard F. Bernstein
McInnis Law
521 Fifth Avenue, New York, New York 10175
(212) 292-4573

Schedule A

All documents concerning Medicare claims, claims information, claims reimbursements and claims denials for radiology services, including, but not limited to, claims data, claims forms, claims reimbursement requests, claims denial notices, correspondence and payment data for claims submitted to Medicare by or on behalf of the following providers and their affiliates:

a. Mount Sinai Hospital, Icahn School of Medicine at Mount Sinai, Mount Sinai School of Medicine, Faculty Practice Associates Department of Radiology, Mount Sinai Radiology Associates, Radiology Department of Mount Sinai, Faculty Practice Associates Mount Sinai School of Medicine and FPA Hospital Based (collectively, Mt. Sinai); and

b. all individual healthcare providers who rendered or billed for radiology services performed at Mt. Sinai's business practice location.

Instructions concerning the production of electronically stored information and data. Include the following information with the production::

- a. All extractable fields of information for each Medicare claim; and
- b. An index for the data fields sufficient to decipher the codes used in each field.

Medicare claims Defined. "Medicare claims" means and includes healthcare provider requests for reimbursement from the Medicare Program for both the professional and technical billing components for radiology services.

Applicable Timeframe for Medicare Claims and Claims Information: The applicable timeframe for the Medicare claims information requested is from January 1, 2006 to December 31, 2011, inclusive.

Applicable Business Practice Location: The applicable business practice location for the Medicare claims information requested is 1176 Fifth Avenue, New York, NY 10029.

Protected Health information Assurances: Information, documents, or electronically stored information produced by CMS will be treated as Protected Health Information under the Health Insurance Portability and Accountability Act of 1996 and regulations.